

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

MICHAEL K.,

Plaintiff,

v.

KILOLO KIJAKAZI,
Acting Commissioner of the Social
Security Administration,

Defendant

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) C.A. No. 1:20-CV-00541-MSM-PAS
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ORDER

Mary S. McElroy, United States District Judge.

On January 5, 2022, Magistrate Judge Patricia A. Sullivan issued a Report and Recommendation (“R&R”), (ECF No. 19), which recommended that the Court grant Plaintiff’s Motion to Reverse the Decision of the Commissioner (“Motion to Reverse”) (ECF No. 13) and deny Defendant Kilolo Kijakazi’s Motion to Affirm the Decision of the Commissioner. (ECF No. 16). Judge Sullivan found that the Administrative Law Judge (“ALJ”) had erred by relying on her own lay analysis of a non-examining expert psychologist’s opinion and also by failing to consider the testimony and statements of the Plaintiff’s parents and volunteer supervisor.

After having carefully reviewed the relevant papers and having heard no objections the Court ACCEPTS the R&R and ADOPTS the recommendations and reasoning set for therein. Accordingly, Plaintiff’s Motion to Reverse (ECF No. 13) is GRANTED, Defendant’s Motion to Affirm (ECF No. 16) is DENIED. Final

Judgment shall enter in favor of the Plaintiff. The matter is remanded for further proceedings consistent with this decision.

IT IS SO ORDERED.

A handwritten signature in blue ink, reading "Mary S. McElroy", followed by a long horizontal flourish line.

Mary S. McElroy
United States District Judge
February 2, 2022